T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

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From Logan, Rugenia PARLEGAL SPCECIALIST Prop-Off Location PARALEGAL SPCECIALIST Prop-Off Location PARALEGAL SPCECIALIST Prop-Off Location PARALEGAL SPCECIALIST Prop-Off Location PARALEGAL SPCECIALIST PARALEGAL SPC	Date:			19-Nov-07	APPL. S. N:	10784391					
SUBJECT: Decision on Terminal Disclaimer(T.D.) filled: INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, ITY you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, THY you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, THY you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, THY you disagree or have any questions, please see the appropriate please initial, date and return this memo to me. THANK YOU. ✓ The T.D. is PROPER and has been recorded (see 14.23). ☐ The T.D. is PROPER and has not been accepted for the reason(s) checked below (see 14.24): ☐ The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01). ☐ The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01). ☐ The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02). ☐ The person who signed the T.D.: ☐ is not an attorney "of record" (see 14.29 and 14.29.01). ☐ has failled to state his/her capacity to sign for the business entity (see 14.28). ☐ is not an attorney "of record" (see 14.29 and 14.29.01). ☐ has failled to state his/her capacity to sign for the business entity (see 14.28). ☐ The T.D. is not signed (see 14.26 & 14.26.03). ☐ The T.D. is not signed (see	To Examiner:			PSITOS, ARISTOTELIS	Art Unit	2653					
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Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination TSUKUDA ET AL.					
Document Code - DISQ	Internal Doc		ocument – DC	cument – DO NOT MAIL				
TERMINAL DISCLAIMER			☐ DISAPP	☐ DISAPPROVED				
Date Filed : November 16, 2007	to a Te	t is subject erminal aimer						
Approved/Disapproved by:								
Henry D. Jefferson								

U.S. Patent and Trademark Office

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)

AOY-3972US

In re Application of: Masahiko TSUKUDA et al.

Application No.:

10/784,391

Filed:

February 23, 2004

For:

ELECTRON BEAM RECORDER AND ELECTRON BEAM IRRADIATION POSITION

DETECTING METHOD

The owner Matsushita Electric Industrial Co., Ltd. of 100 percent Interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the Instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 11/076,787, filed on March 10, 2005, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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> <u>Lawrence E. Ashery</u> Typed or printed name

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